IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE M.H.S. ANSARI

WRIT PETITION NO : 22997 of 1994

Between:

M. Baba Jamaluddin S/o late I. Imamoddin
R/o Ananthapur, Ananthapur Dist.

..... PETITIONER

AND

1 The Registrar Jawaharlal Nehru Technological Unversity
Mahaveer Marg, Hyderabad
2 The Director, I/C, Jawaharlal Nehru Technological Unversity
Oil Technological Research Institute, Ananthapur

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of writ of Mandamus to set aside the order of the 2nd respondent Procs.no.JNTU/OTRI/ATP/355/HG/ICAR/89-94 dt: 31-3-1994 and direct the respondents to continue the petitioner as helper in scale 740-15-950-20-1150 w.e.f. 31-3-94 and give him all consequential benifits with arrears of salary and etc.

Counsel for the Petitioner: MR.P.VEERA REDDY

Counsel for the Respondents: MR.K.RAGHUVEER REDDY

The Court made the following :

ORDER:

Petitioner has questioned the order dated 31.3.1994 whereby the petitioner was ousted from service with effect from 31.3.1994.

It is not in dispute that the petitioner was appointed as helper in a research scheme entitled " Oil Seeds Processing Network" sponsored by ICAR, New Delhi. The said scheme was a time bound programme and appointments made under that scheme were outside the purview of the respondent-University. Petitioner herein, who was working as Lab Assistant on temporary basis, applied for the post of Helper under ICAR scheme and was placed in the second place and some other person was appointed. However, in 1992 when the said post fell vacant, petitioner was appointed in the scale of Rs.740-1150.

In view of the above facts, no infirmity can be found with the order dated 31.3.1994 impugned in the instant writ petition. The scheme having come to an end, petitioner service was liable to be terminated. It is not the petitioner's case that while terminating his service as Helper, services of some other similarly situated employees is continuing under the ICAR scheme. I, therefore, find no merit in the contention of the petitioner that his termination was illegal or that he is entitled to continue as Helper in the same scale of pay. The writ petition is accordingly liable to be and is hereby dismissed.

Be it clarified that this Court has not gone into the question of regularization of service based upon G.O.Ms.No.212. Such question is left open.

Mdaa 20.1.2005.

Copy to:

1 The Registrar Jawaharlal Nehru Technological Unversity
Mahaveer Marg, Hyderabad
2 The Director, I/C, Jawaharlal Nehru Technological Unversity
Oil Technological Research Institute, Ananthapur

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